

HOUSE BILL 784  
By Briley

AN ACT to amend Tennessee Code Annotated, Title 56, relative to property and casualty insurance.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. At any time a policyholder files a property and casualty claim, the insurer shall immediately provide the policyholder with a written statement setting forth certain basic rights to which the policyholder is entitled. All such written statements shall be approved by the commissioner of the department of commerce and insurance in advance of their use by an insurer.

SECTION 2. At a minimum, the written statement required by Section 1 shall advise claimants of their rights to:

- (a) Have a copy of their policy free of charge;
- (b) Be informed of the need to file a proof of loss, if required;
- (c) Have a contractor of their choice complete the repairs to such claimant's property;
- (d) File supplemental claims;
- (e) Demand appraisal without fear of retribution;
- (f) Have responses to all matters within time frames specified in their policy;

- (g) Enforce all contractual rights to which they are otherwise entitled;
- (h) File a complaint with the department of commerce and insurance and what information is necessary for such complaint;
- (i) Have inspections, appraisals and estimates conducted by qualified individuals who provide sufficient identification;
- (j) Be provided with a customer complaint telephone number; and
- (k) Be represented by an attorney at all stages of the claims process.

SECTION 3. Failure to comply with the provisions of this act, or with any of the basic rights set forth herein, shall be deemed to be an unfair claims settlement practice under §56-8-104.

SECTION 4. This act shall take effect July 1, 2001, the public welfare requiring it.